



CITY OF NEWPORT BEACH ZONING ADMINISTRATOR AGENDA

**Newport Beach City Hall
100 Civic Center Drive, Newport Beach
Corona del Mar Conference Room (Bay E-1st Floor)
Thursday, April 10, 2014 – 3:30 p.m.**

Brenda Wisneski, Zoning Administrator

Staff Members:

Fern Nueno, Associate Planner

A) CALL MEETING TO ORDER

B) MINUTES OF MARCH 27, 2014

C) PUBLIC HEARING ITEMS

**Item No. 1. SoulCycle Minor Use Permit No. UP2014-007 (PA2014-030)
 1177 Newport Center Drive Council District 5**

Summary: A Minor Use Permit to allow a health and fitness facility with accessory retail sales. The proposed project would be located in a 3,363-square-foot tenant suite within Fashion Island, and include an indoor cycling fitness facility for group exercise classes, a locker room, restroom/showers, and a retail sales area. The applicant intends to offer up to 12 classes per day between the hours of 5:30 a.m. and 11:00 p.m. The property is located in the PC-56 (North Newport Center) District.

Recommended

Action: 1) Conduct public hearing; and
 2) Adopt Resolution No. ____ approving Minor Use Permit No. UP2014-007

CEQA

Compliance: The project is categorically exempt under Section 15301, of the State CEQA (California Environmental Quality Act) Guidelines - Class 1 (Existing Facilities).

**Item No. 2. Annual Review of Development Agreement for North Newport Center (PA2009-023)
 North Newport Center Council District 7**

Summary: An annual review of Development Agreement No. DA2007-002 for North Newport Center, pursuant to Section 15.45.080 of the Municipal Code and Section 65865.1 of the California Government Code. The Development Agreement, executed in 2008 and amended in 2012, vested development rights for regional commercial, office, mixed-use, and residential uses in North Newport Center and required public benefit contributions to the City. The Zoning Administrator will review Irvine Company's good

This hearing is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Zoning Administrator's agenda be posted at least seventy-two (72) hours in advance of each regular hearing and that the public be allowed to comment on agenda items before the Zoning Administrator and items not on the agenda but are within the subject matter jurisdiction of the Zoning Administrator. The Zoning Administrator may limit public comments to a reasonable amount of time, generally three (3) minutes per person.

It is the intention of the City of Newport Beach to comply with the Americans with Disabilities Act ("ADA") in all respects. If, as an attendee or a participant at this hearing, you will need special assistance beyond what is normally provided, the City of Newport Beach will attempt to accommodate you in every reasonable manner. If requested, this agenda will be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Please contact the Community Development Department at least forty-eight (48) hours prior to the hearing to inform us of your particular needs and to determine if accommodation is feasible at 949-644-3200.

faith compliance with the provisions of the Development Agreement. North Newport Center includes the following sub-areas: Fashion Island; Block 100, Block 400, Block 500, Block 600, and Block 800 of Newport Center Drive; and San Joaquin Plaza.

Recommended

- Action:
- 1) Conduct public hearing
 - 2) Find the review exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 25321 (Class 21 – Enforcement Actions by Regulatory Agencies) of the CEQA Guidelines;
 - 3) Find that the applicant has demonstrated good faith compliance with the terms of the Development Agreement; and
 - 4) Receive and file the Annual Report of the Development Agreement for North Newport Center.

CEQA

Compliance: The project is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15321 (Class 21 - Enforcement Actions by Regulatory Agencies) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential to have a significant effect on the environment.

D) PUBLIC COMMENTS ON NON-AGENDA ITEMS

Public comments are invited on non-agenda items generally considered to be within the subject matter jurisdiction of the Zoning Administrator. Speakers must limit comments to three (3) minutes. Before speaking, we invite, but do not require, you to state your name for the record. The Zoning Administrator has the discretion to extend or shorten the speakers' time limit on non-agenda items, provided the time limit adjustment is applied equally to all speakers. As a courtesy, please turn cell phones off or set them in the silent mode.

E) ADJOURNMENT

If in the future, you wish to challenge in court any of the matters on this agenda for which a public hearing is to be conducted, you may be limited to raising only those issues which you (or someone else) raised orally at the public hearing or in written correspondence received by the City at or before the hearing.

The agendas, minutes, and staff reports are available on the City's web site at: www.newportbeachca.gov/zoningadministrator and for public inspection in the Community Development Department, Planning Division located at 100 Civic Center Drive, during normal business hours. If you have any questions or require copies of any of the staff reports or other documentation, please contact the Community Development Department, Planning Division staff at (949) 644-3200.

APPEAL PERIOD: An appeal may be filed with the Director of Community Development or City Clerk, as applicable, within fourteen (14) days following the date the action or decision was rendered unless a different period of time is specified by the Municipal Code (e.g., Title 19 allows ten (10) day appeal period for tentative parcel and tract maps, lot line adjustments, or lot mergers). For additional information on filing an appeal, contact the Planning Division at 949 644-3200.